IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 50 OF 2007
IN
SUIT NO. 3493 OF 2006

Abdul Kadar Yadli Shaikh .. Plaintiff.

V/s.

Tapas Kumar Das .. Defendant.

Mr.H.R.Sharma for the Plaintiff.

Mr.R.R.Sharma for the Defendant.

CORAM : S. A. BOBDE, J.

DATED : 18th JANUARY, 2007.

P.C.:

. Heard.

2. The only apprehension of the Plaintiff is that the Defendant may create third party rights in the suit premises. The plaintiff claims that he has been dispossessed from the suit premises on 16.07.1988.

3. The learned counsel for the Defendant states that the defendant has no intention whatsoever to part with the possession of the suit premises and in fact he has filed a suit, claiming a tenancy over the suit

premises.

4. Hence, there shall be injunction in terms of the prayer clause (c) till disposal of the suit. The notice of motion is made absolute, accordingly.

5. Having regard to the circumstances of the case, the prayer for appointment of the court receiver is rejected since the plaintiff has not made out any case for appointment of the court receiver.

(S.A.BOBDE,J.)

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